



## APPEAL PROCEDURE FOR SITE PLANS

### WHO IS ELIGIBLE TO APPEAL?

- \* A person having an interest in the property that is the subject of the decision being appealed (subject property).
- \* A person having interest in property located within 300 feet of the exterior boundaries of the subject property.
- \* A person not having an interest in property located within 300 feet from the exterior boundaries of the subject property who, after written petition request to the Planning Commission, receives permission to file an appeal. The decision of the Planning Commission on a petition requesting for permission to appeal shall be made without hearing and shall be final.
- \* A County officer, Board, Commission or other County body. *Note:* Community Planning Groups and Sponsor Groups may appeal without approval of the Planning Commission. Town Councils and civic clubs must obtain Planning Commission approval to appeal.

### WHEN MUST AN APPEAL BE FILED?

An appeal or a written request for permission to appeal, must be filed with **10 (ten) calendar days** of the date on which the decision being appealed was rendered. If the tenth day falls on a weekend or a County holiday, the appeal can be filed on the following work day.

### HOW MUCH DOES AN APPEAL COST?

Please refer to the Fee Schedule for all appeal filing fees. Only one appeal fee is charged for an appeal of action involving multiple permits.

### WHO DECIDES THE APPEAL?

The Planning Commission will hold a public hearing on the appeal and make a decision. The decision of the Planning Commission is final and effective immediately, except that the decision on a Site Plan filed as a requirement of a Specific Plan may be appealed to the Board of Supervisors. When the Director's decision and the decision of the Planning Commission are not the same, a Site Plan filed as a requirement of a Specific Plan will be forwarded to the Board of Supervisors for final action.

### HOW DO I FILE AN APPEAL?

Appeal forms and further information are available at the Zoning Counter, Department of Planning and Land Use, 5201 Ruffin Road, San Diego, CA 92123. Telephone: (858) 565-5981. *Note:* An appeal going to the Board of Supervisors can be filed either at the Department of Planning and Land Use or at the Clerk of the Board of Supervisors.